



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

ELP

Docket No. 178-90

21 April 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 24 October 1985 for four years as an SN (E-3). The record reflects that you served without incident until 6 February 1986 when you were counseled regarding your test failures during apprenticeship training. On 14 February 1986 you were referred to the mental health unit due to your poor performance and desire to leave the Navy. The medical narrative summary noted your failure to pass tests to which your chief attributed to poor preparation and attendance. You stated that you would like to return to the Navy some day but had lost your self-confidence and the Navy was too stressful. You reported that you worried about hurting yourself or others and believed that your suicidal or homicidal ideation would subside if discharged. Psychological tests were administered but were considered invalid in that you were deliberately trying to appear in an unfavorable light. You were diagnosed with an adjustment disorder with mixed emotional features and a mixed personality disorder with strong passive-

aggressive and avoidant features. The examining psychologist opined that you were a burden to the command and were at risk to harm yourself and others if retained.

On 23 February 1986 you were notified that an entry level separation was being considered by reason of unsatisfactory performance as evidenced by your failure to adapt to the naval environment. You were advised of your procedural rights and waived those rights. Thereafter, the discharge authority directed an uncharacterized entry level separation by reason of unsatisfactory performance. You were so discharged on 28 February 1986 and assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to individuals separated by reason of entry level performance. The Board noted your employment resume and letters of reference, two of which indicate you are currently enrolled in an alcohol and drug outpatient treatment program. The Board also noted that you could have been separated for a diagnosed personality disorder, for which an RE-4 reenlistment code would have been assigned since you posed a risk for harm to yourself or others if retained. Since you have been treated no differently than others discharged under similar circumstances, the Board could find no error or injustice in your assignment reenlistment code. The Board concluded that reenlistment code was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director